IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

MONDAY, THE 2ND APRIL 2007 / 12TH CHAITHRA 1929

WP(C).No. 179 of 2005(U)

PETITIONER:

KALLEN PADMANABHAN, PATTAYAM,
KOLACHERI P.O., KANNUR DIST.

BY ADV. SRI.KALEESWARAM RAJ

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY
SECRETARY TO GOVERNMENT,
DEPARTMENT OF HEALTH, SECRETARIAT,
THIRUVANANTHAPURAM.

2. THE DISTRICT COLLECTOR,
KANNUR.

3. KERALA STATE POLLUTION CONTROL BOARD
REPRESENTED BY THE SECRETARY,
KERALA STATE POLLUTIONN CONTROL BOARD,
THIRUVANANTHAPURAM.

4. THE CHIEF ENVIRONMENTAL ENGINEER,
KERALA STATE POLLUTION CONTROL BOARD,
PAYYANNUR.

5. KOLACHERI GRAMA PANCHAYAT,
REPRESENTED BY THE SECRETARY, KOLACHERI
GRAMA PANCHAYAT, KOLACHERI, KANNUR.

6. MALLIKUNNAN PUTHANPURAYIL KUNHIRAMAN
PATTAYAM, KOLACHERI P.O.,
KANNUR DIST.

7. THE DISTRICT MEDICAL OFFICER HEALTH,
KANNUR.

8. THE CIRCLE INSPECTOR OF POLICE,
VALAPATTANAM, KANNUR DIST.

9. THE SUB INSPECTOR OF POLICE,
VALAPATTANAM, KANNUR DIST.

BY ADV. SRI.A.MOHAMED MUSTAQUE
SRI.M.K.SUMOD
GOVERNMENT PLEADER SMT.K.R.DEEPA.
SRI.P.V.SURENDRANATH
SRI.V.A.ABDUL JALEEL
SRI.BABU JOSEPH KURUVATHAZHA,SC,POLU.C.
SRI.M.K.CHANDRA MOHANDAS,SC,POLL.C.BOAR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 02/04/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.C.NO.179/2005

A P P E N D I X

PETITIONER'S EXHIBITS :

EXT.P1 : TRUE COPY OF THE COMPLAINT DT. 26.9.2001 FILED BY THE PETITIONER BEFORE THE 5TH RESPONDENT.

EXT.P2 : TRUE COPY OF THE REPRESENTATION DT. 20.9.2004 FILED BY THE PETITIONER BEFORE THE 5TH RESPONDENT.

EXT.P3 : TRUE COPY OF THE COMPLAINT DT. 28.9.2004 FILED BY THE PETITIONER BEFORE THE DIST.COLLECTOR.

EXT.P4 : TRUE COPY OF THE COMPLAINT DT. 6.10.2004 FILED BY THE PETITIONER BFORE THE HON'BLE CHIEF MINISTER.

EXT.P5 : TRUE COPY OF THE ANALYSIS REPORT DT. 30.9.2004 WITH RESPECT TO THE PETITIONER'S WELL ISSUED BY KERALA WATER AUTHORITY.

EXT.P6 TRUE COPY OF THE LETTER DT. 14.10.2004 ISSUED BY THE SECRETARY OF THE PANCHAYAT.

EXT.P7 TRUE COPY OF THE LETTER DT. 21.10.2004 ISSUED BY THE DMO TO THE 5TH RESPONDENT.

RESPONDENTS' EXHIBITS :

EXT.R5A TRUE COPY OF THE ORDER/DIRECTION ISSUED BY THE SECRETARY OF THE PANCHAYAT TO THE 6TH RESPONDENT DT. 20.12.2004.

EXT.P5B TRUE COPY OF THE EXPLANATION SUBMITTED BY THE 6TH RESPONDENT BEFORE THE PANCHAYAT RECEIVED ON 4.1.2005.

EXT.R5C TRUE COPY OF THE COMMUNICATION ISSUED BY THE PANCHAYAT ON 6.1.2006 TO THE 6TH RESPONDENT.

EXT.R6A TRUE COPY OF THE CONSENT OF THE KERALA STATE POLLUTION CONTROL BOARD.

EXT.R6B TRUE COPY OF THE LICENCE ISSUED BY THE 5TH RESPONDENT DT. 7.6.2005.

TGS

KURIAN JOSEPH, J.

W.P.(C) No.179 of 2005

Dated 2nd April, 2007.

J U D G M E N T

Petitioner approached this Court with certain grievances regarding operation of a dyeing unit. There is already an interim order dated 16.6.2005, which reads as follows :-

> "Heard. The 5th respondent to ensure that the 6th respondent is not operating his dyeing unit without the consent of the Pollution Control Board and also the D&O licence from the Panchayat."

The writ petition is hence disposed of in terms of the said interim order.

KURIAN JOSEPH, JUDGE.

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KURIAN JOSEPH, J

O.P.No. of 2002

J U D G M E N T

Dated 2nd April, 2007.